

REMARKS

Claims 1, 6, 8-12 and 20 remain pending in the present application. The claims have not been amended in response to this Office Action.

REJECTION UNDER 35 U.S.C. § 103

Claim 1 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Miller (U.S. Pat. No. 6,667,555) in view of Fahrnschon (EP 0 332 827 A2). Applicant respectfully traverses this rejection.

As stated by the Examiner, Miller, et al. fails to disclose that the first valve is an electronic valve and that the pressure control unit operates independently from the valve control unit. Clearly Miller, et al. doesn't have the pressure control unit operating independent from the valve since Miller, et al. does not have a pressure control unit to begin with.

The Examiner also admits that Miller, et al. does not disclose a pressurized gas as being the only damping medium, a source for the pressurized gas separate from the working chamber in selective communication with the working chamber and a pressure control unit in communication with the source of the pressurized gas. The Examiner looks to Fahrnschon to teach this. Applicant respectfully disagrees with the Examiner's interpretation of Fahrnschon.

The Examiner states that Fahrnschon teaches a control unit 5 with a source of pressurized gas 1, 2 for controlling pressure of pressurized gas disposed within the working chamber of the pneumatic shock absorber 4. There is no disclosure within Fahrnschon that the pressurized gas is the damping medium for the shock absorber

which is disposed within the working chamber defined by Claim 1. Claim 1 defines the working chamber with the pressurized gas as the damping medium. A piston with an electronic valve is in the working chamber and the source of the pressurized gas is supplied to the working chamber.

Fahrnschon discloses a leveling system using pneumatic shock absorbers 4 which receive pressurized gas from source 1, 2 controlled by controller 5. There is nothing in the schematic of Fahrnschon that discloses, teaches or suggests that the pressurized gas provided to shock absorbers 4 is the damping medium. Attached are two figures from two U.S. patents, U.S. Patent No. 5,135,203 and U.S. Patent No. 4,989,844, which disclose a pneumatic leveling system that is included with a shock absorber. These patents disclose that the leveling system is totally separate from the working chamber of the shock absorber and that the pressurized gas is not the damping medium. The only disclosure that supports the Examiner's position that the pressurized fluid supplied to shock absorbers 4 in Fahrnschon is the damping fluid is Applicant's disclosure. There is nothing in Fahrnschon that discloses, teaches or suggests that compressor 1 is supplying the damping medium for shock absorber 4, it supplies a leveling medium.

Thus, Applicant believes Claim 1 patentably distinguishes over the art of record. Reconsideration of the rejection is respectfully requested.

Claims 12, 20 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Miller in view of Grundei, et al. (U.S. Patent No. 5,971,117) and in view of Fahrnschon. The Examiner has cited Fahrnschon to disclose the same features as discussed above and thus, the above discussion of Fahrnschon applies here also.

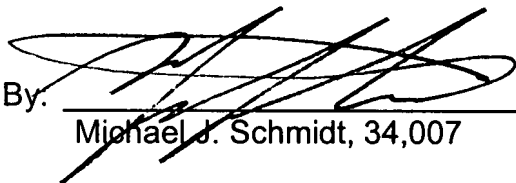
Thus, Applicant believes Claims 12, 20 and 21 patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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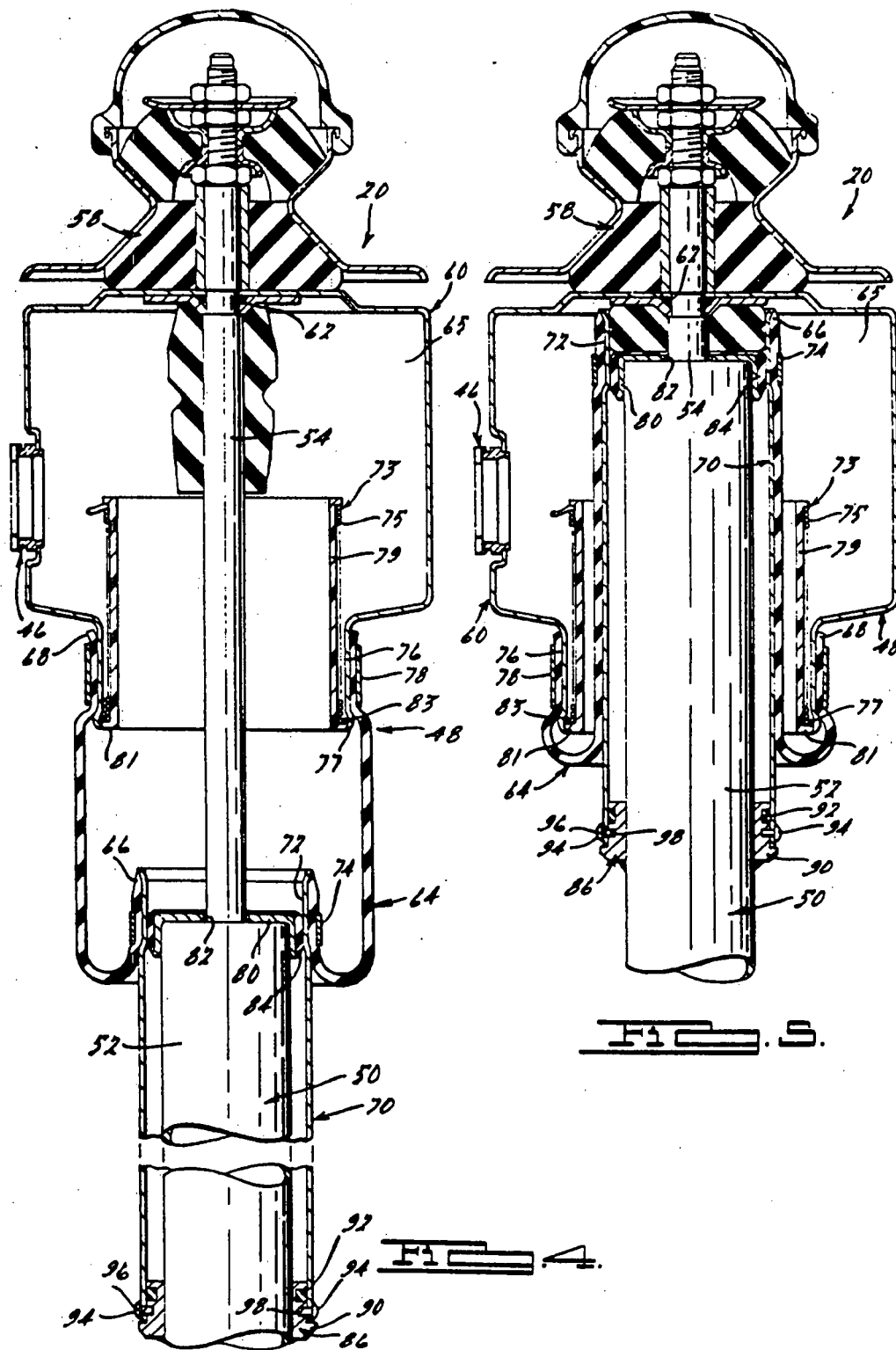


FIG. 3.

